IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 35610 of 2005(L)

MC.13/2005 of CHIEF JUDL.MAGISTRATE, ERNAKULAM
CC.948/2000 of CHIEF JUDL.MAGISTRATE, ERNAKULAM

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PETITIONERS:

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1. CHANDRAN, S/O.KANNAN, KALATHIL HOUSE, KUMBALAM VILLAGE, KANAYANNUR TALUK.

2. SAHADEVAN, S/O.KANNAN, KALATHIL HOUSE, KUMBALAM VILLAGE, KANAYANNUR TALUK.

BY ADV. SRI.C.R.SIVAKUMAR

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. THE TAHSILDAR, KANAYANNUR TALUK, ERNAKULAM.

3. THE VILLAGE OFFICER, VILLAGE OFFICE, KUMBALAM, ERNAKULAM.

BY GOVT. PLEADER MR.SHYSON P.MANGUZHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX(WPC 35610/05)

PETITIONERS' EXTS.:

EXT.P1: TRUE COPY OF THE JUDGMENT IN CRL. APPEAL NO.693/05 DATED 6.9.2005.

EXT.P2: TRUE COPY OF THE ORDER IN M.C.NO.13/05 DATED 4.7.2005.

PIUS C. KURIAKOSE,J.

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W.P.(C) No.35610 of 2005

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Dated: 27th July, 2007

JUDGMENT

No representation for the petitioners. The Chief Judicial Magistrate, Ernakulam has reported to this court that the suo motu case which was registered as M.C.13/05 against the petitioners has since been disposed of on 1.8.2005. Under these circumstances, according to me, the Writ Petition itself has become infructuous. However since the petitioners are absent, the Writ Petition will stand dismissed only for default.

srd **PIUS C.KURIAKOSE, JUDGE**

After I delivered the judgment, Mr.C.R.Sivakumar, learned counsel for the petitioners appeared and placed before me a copy of the order in Crl.R.P.No.412/06. It is seen from the above order that the penalty imposed under the impugned order is reduced by Rs.20,000/-, i.e., Rs.25,000/- reduced to Rs.5,000/-. Learned counsel submitted that the petitioners are ready and willing to pay the amount as reduced by this court. Accordingly, I permit the petitioners to pay the amount as reduced by this court as per the

order in Crl.R.P.No.412/06 within one month from today.

Subject to the above direction, the Writ Petition will stand disposed of.

27.7.2007 **PIUS C.KURIAKOSE, JUDGE.**